IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 21128 of 2004

Between:

T.Chinna Narasimhulu, S/o Pavalayya,
R/o 8-214, S.C.Colony, Nandavaram Village,
Nandavaram Mandal, Kurnool District

..... PETITIONER

AND

1 District Collector, Kurnool, Kurnool District
2 Mandal Revenue Officer, Nandavaram Mandal, Nandavaram, Kurnool District
3 Mandal Development Officer, Nandavaram Mandal, Nandavaram, Kurnool District
4 Village Secretary, Gram Panchayat, Nandavaram, Nandavaram Mandal, Kurnool District
5 Sampathkumar Goud, S/o Basanna Goud, Nandavaram Village, Nandavaram Mandal, Kurnool District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the respondents-1 to 4 in not taking any action for preventing the 5th respondent in laying the drainage works contrary to the actual layout in respect of SC Colony, Nandavaram Village and Mandal, Kurnool District, contrary to the approved layout plan, is arbitrary, illegal and unjust and consequently direct the respondents herein to proceed with the drainage to the said SC Colony as per the existing drainage system in the interest of justice.

Counsel for the Petitioner:MR.J.KANAKAIAH

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

Petitioner, along with other residents of the SC Colony of Nandavaram Village and Mandal, Kurnool District, submitted a representation on 8.11.2004 to the District Collector-first respondent herein complaining that the fifth respondent in deviation of the sanctioned lay out plan, while executing the drainage works, left the outlet of the drainage in the plot of the petitioner, as a result of which, the plot of the petitioner as well as the S.C. Colony is stagnated with the drainage water and thereby causing ill-health to the residents of the colony people and requested to stop the drainage works contrary to the layout plan.

Whether the fifth respondent deviated the sanctioned layout in execution of the drainage works or not, is a matter to be decided by the respondent concerned. In view of the same, the District Collector-first respondent shall consider the representation of the petitioner dated 8.11.2004 and redress the grievances of the petitioner, if any.

With the above direction, the writ petition is dismissed. No costs.

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A. GOPAL REDDY. J.

19th November, 2004

tsr.

To

1 District Collector, Kurnool, Kurnool District
2 Mandal Revenue Officer, Nandavaram Mandal, Nandavaram, Kurnool District
3 Mandal Development Officer, Nandavaram Mandal, Nandavaram, Kurnool District
4 Village Secretary, Gram Panchayat, Nandavaram, Nandavaram Mandal, Kurnool District
5. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

6. Two C.D. copies.